

**Senate Bill No. 286**

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Passed the Senate September 2, 2009

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*Secretary of the Senate*

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Passed the Assembly August 31, 2009

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 1002.5 to the Fish and Game Code, relating to the Department of Fish and Game.

## LEGISLATIVE COUNSEL'S DIGEST

SB 286, Aanestad. Department of Fish and Game: scientific collector's permits.

Existing law authorizes the Department of Fish and Game to issue permits, subject to restrictions and regulations that the Fish and Game Commission determines are desirable, to take or possess, in any part of the state, for scientific, educational, or propagation purposes, mammals, birds and the nests and eggs thereof, fish, amphibians, reptiles, or any other form of plant or animal life. Violation of these provisions is a crime.

This bill would authorize the issuance of a permit for scientific purposes, on the payment of a specified fee, to a California-certified small business, an aquarium accredited by the Association of Zoos and Aquariums, or other appropriate institution, in the name of a principal scientific investigator or the permitted entity. The bill would authorize the department to approve individual temporary employees or volunteers to work under the permit, after receiving notification from the permittee. The bill would authorize the amendment of the permit, including, but not limited to, the addition or removal of individual temporary employees or volunteers working under the permit, on the payment of a specified fee. The bill would make it a misdemeanor for a permittee to allow a temporary employee or volunteer to work under a permit without approval from the department, creating a new crime, and thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1002.5 is added to the Fish and Game Code, to read:

1002.5. (a) The department may issue a permit for scientific purposes pursuant to Section 1002 to a California-certified small business, an aquarium accredited by the Association of Zoos and Aquariums, or other appropriate institution, as determined by the department, in the name of a principal scientific investigator or the permitted entity.

(b) The department may approve individual temporary employees or volunteers to work under the permit, after receiving notification from the permittee. The permittee shall have adequate supervision over any temporary employees or volunteers approved to work under the permit.

(c) A permittee that allows a temporary employee or volunteer to work under a permit without approval from the department in accordance with this section is subject to Section 12000.

(d) The department shall charge a fee pursuant to subdivision (b) of Section 1002 for the issuance of a permit authorized by this section. If the department determines that the costs to issue a permit authorized by this section are greater than the costs to issue a permit pursuant to Section 1002, the department may charge a permit fee in an amount that is greater than the amount imposed by subdivision (b) of Section 1002 to recover those additional costs.

(e) The department may amend a permit issued under this section, including, but not limited to, the addition or removal of individual temporary employees or volunteers working under the permit, on the payment of a base fee of sixty dollars (\$60), as adjusted under Section 713.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved \_\_\_\_\_, 2009

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*Governor*